



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 26, 1999

Kinde Durkee, Treasurer
Committee to Re-Elect Loretta Sanchez
9531 Via Ricardo
Burbank, CA 91504

RE: MUR 4814

Dear Kinde Durkee:


On July 13, 1999, the Federal Election Commission found reason to believe that the Committee to Re-Elect Loretta Sanchez and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), in connection with the December 31, 1997 contribution from Barbara Kennelly for Congress. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that contributions from one candidate committee to another are limited to \$1,000. See 2 U.S.C. § 441a(a)(1)(A). The making or receipt of contributions in excess of this amount is in violation of the Act. The Committee should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,



Scott E. Thomas
Chairman

Enclosure
Factual and Legal Analysis

cc: candidate (w/o enclosure)

2017-08-14 10:00 AM

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Committee to Re-Elect Loretta Sanchez MUR: 4814
Kinde Durkee, Treasurer

I. GENERATION OF MATTER

This matter was generated based on a complaint filed on September 24, 1998, by Chris DePino, Chairman of the Connecticut Republican State Central Committee, alleging, *inter alia*, that the Committee to Re-Elect Loretta Sanchez ("Sanchez Committee") accepted an excessive \$2,000 primary election contribution from Barbara Kennelly for Congress ("Kennelly Committee").

II. FACTUAL AND LEGAL ANALYSIS

A. Applicable Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), restricts the amounts that may be contributed to a candidate's authorized political committee to a maximum of \$1,000 from individuals, including other authorized candidate committees, per election. 2 U.S.C. § 441a(a)(1)(A); 11 C.F.R. § 110.1(b)(1). No candidate or political committee may knowingly accept contributions in excess of the prescribed limits. 2 U.S.C. § 441a(f); 11 C.F.R. § 110.9(a).

B. Transaction at Issue

The Kennelly Committee made a \$2,000 primary contribution to the Sanchez Committee. The contribution was received by the Sanchez Committee on December 31, 1997 and reported as a primary contribution. The Kennelly Committee also characterized

the contribution as for a primary election in its itemization of disbursements, suggesting that the contribution was so designated when made. If designated for the primary election by the Kennelly Committee, the Sanchez Committee was required to seek a redesignation, or make a refund, within sixty days. According to the Sanchez Committee's reports, it appears that the excessive portion of the contribution was not reported as for the general election until approximately May 28, 1998 – the date the Sanchez Committee filed an amendment concerning this contribution. Accordingly, the Sanchez Committee, by failing to take timely corrective action, appears to have received and accepted an excessive contribution in violation of 2 U.S.C. § 441a(f).

III. CONCLUSION

There is reason to believe that the Committee to Re-Elect Loretta Sanchez and Kinde Durkee, as treasurer, violated 2 U.S.C. § 441a(f).